

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

WORLD WRESTLING ENTERTAINMENT,
INC. and WWE PROPERTIES
INTERNATIONAL, INC. (as successor in
interest to WWE LIBRARIES, INC.)

Plaintiffs,

v.

AWA WRESTLING ENTERTAINMENT,
INC., and DALE R. GAGNER, an individual,
a/k/a DALE R. GAGNE, a/k/a DALE GAGNE

Defendants.

Civil Action No. 0:07-cv-02058
ADM/JSM

**[PROPOSED] ORDER GRANTING PLAINTIFFS' MOTION FOR A RULE TO
SHOW CAUSE**

The above matter came before the undersigned Honorable Ann D. Montgomery, Senior United States District Court Judge, upon Plaintiffs World Wrestling Entertainment, Inc. and WWE Properties International, Inc.'s (collectively "WWE") Motion for a Rule to Show Cause why Defendant Dale R. Gagner ("Gagner") should not be held in civil contempt due to his continuing violation of this Court's December 18, 2008 Final Judgment permanently enjoining Gagner from, among other things, using WWE's AWA and AMERICAN WRESTLING ASSOCIATION marks or any colorable imitations thereof (the "Permanent Injunction").

Based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that WWE's motion is **GRANTED**, and:

- a. Defendant Gagner is held in civil contempt.

- b. Defendant Gagner shall pay WWE's attorneys' fees incurred in bringing this motion, in an amount to be determined by the Court. WWE shall submit to the Court its reasonable costs and fees incurred in bringing this motion within fourteen (14) days hereof.
- c. Defendant Gagner shall pay a fine in an amount of \$_____ on or before, _____, 2018.
- d. Within fourteen (14) days hereof, Defendant Gagner shall submit to this Court an affidavit confirming that he is in compliance with the Permanent Injunction and has removed all infringing materials he has previously posted on any website.
- e. In the event of any future violation of the Permanent Injunction, for each such violation Defendant Gagner shall pay a fine in an amount equivalent to the attorneys' fees WWE would incur in bringing a Motion for Rule to Show Cause why Gagner should not be held in civil contempt for that violation.

Dated: _____

Honorable Ann D. Montgomery
Judge of the United States District Court